

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

MICHAEL A. BAKER, PRO SE,	§	
also known as MICHAEL ALLEN BAKER,	§	
also known as MIKE BAKER,	§	
TDCJ-CID No. 1654093,	§	
	§	
Plaintiff,	§	
	§	
v.	§	2:12-CV-0080
	§	
KIMBERLY FISK, P.A.,	§	
	§	
Defendant.	§	

ORDER OF DISMISSAL

This case was originally filed in the United States District Court for the Southern District of Texas, Houston Division. Plaintiff's claims against defendant KIMBERLY FISK, P.A., were severed and transferred by the United States District Court for the Southern District to this Court by transfer order of April 4, 2012.

Plaintiff MICHAEL A. BAKER, acting pro se and while a prisoner incarcerated in the Texas Department of Criminal Justice, Correctional Institutions Division, has filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-named defendant employed by the Texas Department of Criminal Justice and was granted permission to proceed pursuant to Title 28, United States Code, section 1915.

On February 7, 2014, a Report and Recommendation was issued by the United States Magistrate Judge recommending dismissal of the instant cause with prejudice as frivolous and for failure to state a claim on which relief can be granted. Plaintiff filed his Objections on March 7, 2014.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation. The Court is of the opinion that the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge in this case.

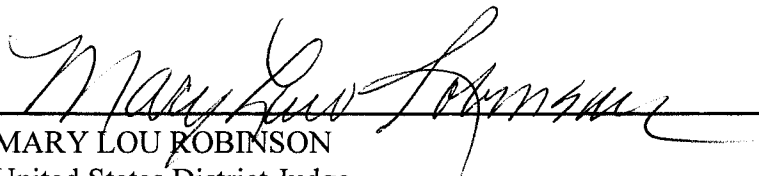
IT IS THEREFORE ORDERED that the Civil Rights Complaint by plaintiff MICHAEL A. BAKER is DISMISSED WITH PREJUDICE AS FRIVOLOUS AND FOR FAILURE TO STATE A CLAIM ON WHICH RELIEF CAN BE GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

The Clerk shall send a copy of this Order to plaintiff and to any attorney of record. The Clerk shall also mail copies of this order to TDCJ-Office of the General Counsel, P.O. Box 13084, Austin, TX 78711; and to the Pro Se Clerk at the U.S. District Court for the Eastern District of Texas, Tyler Division.

It is SO ORDERED.

Signed this the 11th day of March, 2014.


MARY LOU ROBINSON
United States District Judge